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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

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March 23, 2004

Ref: 8ENF-L

**SENT VIA REGULAR MAIL**

John R. Jacus, Esq.  
Davis, Graham & Stubbs  
1550 17<sup>th</sup> Street, Suite 500  
Denver, CO 80202

Re: Hecla Mining Co., Docket No. RCRA-8-99-06  
Final Draft RCRA 7003 Consent Order

Dear John:

I am enclosing for review and your client's signature the final draft of the Administrative Order on Consent ("AOC") under section 7003 of the Resource Conservation and Recovery Act, 42 U.S.C. § 6973, as agreed to pursuant to our phone conversation of March 4, 2004.

Please note that per my voice mail message to you on March 23, 2004, the following two non-substantive changes have been made to the final document: 1) the two references to the Director of Solid and Hazardous Waste in paragraph no. 68 has been changed to the Assistant Regional Administrator for the Office of Enforcement, Compliance, and Environmental Justice; and 2) the middle initial "L" has been added to the signature block for the EPA Region 8 Technical Enforcement Director.

Please return the original signed document to me for EPA signature and filing. The EPA Region 8 Regional Hearing Clerk will mail you and Mr. Galbavy a copy of the final document upon filing.

Relatedly, EPA awaits receipt of Hecla's closure plan inclusive of the additional language proposed by EPA to section 2.6.2. EPA will issue a closure plan approval letter upon receipt of the revised closure plan.

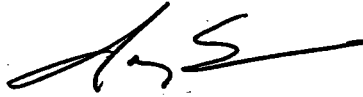


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Excepting the long-term action items to be performed by Hecla pursuant to the closure plan, finalization of both the closure plan and AOC will successfully resolve the above-referenced action. Thank you again for your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amy Swanson', with a stylized flourish at the end.

Amy Swanson, Attorney  
Legal Enforcement Program

cc: John Galbavy, Hecla Mining Co.

bcc: Eric Johnson, 8ENF-RC  
Donna Jackson, 8P-TA

**RECEIVED**

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Justice